

**DRAFT\*\*TOWN OF CABLE PLAN COMMISSION\*\*DRAFT**  
**MEETING MINUTES**  
**JULY 6, 2021**

**1. Call to Order**

The regular meeting of the Town of Cable Plan Commission was called to order by Chairman Tony Erba at 5:30 p.m. on Tuesday, July 6, 2021 in the main assembly room of the Cable Community Center. **Present:** Chairman Tony Erba, Commissioners Kristine Lendved, Tony Merrill, David Popelka, Sue Thurn, Shelly Wilson and Kathy Zuelsdorff, along with members of the public.

**2. Chairman Remarks**

- Chairman Erba noted that we have a very full agenda this evening and if members of the public wish to speak at any point in the meeting he asked that they would keep their remarks concise and to the point.
- Chairman Erba reported that Town Chairman Haag had asked him to meet with Ben Popp of the American Birkebeiner organization to get an update on the status of potential plans for the former Telemark site. Primarily they spoke about motel/lodging at the site. Although there is no immediate timeline, Erba hopes to receive more specific information in the early fall.

**3. Town Board Update**

The Chequamegon Bay Housing survey and Short Term rental in the Town of Cable were the only two topics discussed at the last Town Board meeting that relate to Plan Commission business and both items appear later in the agenda.

**4. Approval of Agenda**

Commissioner Lendved made a motion to approve the agenda as presented. This motion was seconded by Commissioner Thurn and carried.

**5. Approval of Minutes**

Following review, a motion was made by Commissioner Popelka to approve the minutes of the June 1, 2021 regular meeting and the June 14, 2021 Comp Plan Work Group meeting as presented. Motion was seconded by Commissioner Merrill and carried.

**6. Public Input - Non-Agenda Items**

Mike Choate, Owner of Start Line Services Bike Shop and a short term rental business on McNaught Rd, shared concerns about the increase in traffic on Randysek and McNaught roads - specifically when a person is trying to turn

either way onto Randysek from the stop sign on McNaught. There is a downhill approach for traffic coming from the south on Randysek and vehicles are often going over the speed limit in this area. Add in the tall vegetation that has grown up on the SE corner and it makes for a dangerous intersection. Mr. Choate requests that the Town look at the problem and come up with a solution. Commissioner Popelka said he will bring this up to the Town Board at the next meeting. Chairman Erba suggested that photos be submitted to the Town Clerk to help the Town Board understand the situation.

At this point in the meeting David Popelka and Kathy Zuelsdorff recused themselves from their commissioner status due to a conflict of interest with the following agenda item.

## **7. Land Use**

**a. Rezoning Request from R-1 to R-4 for property located at 43200 Randysek Rd, David R. Popelka, Owner.** The underlying issue for this request is that the zoning is not correct for the Popelka property located within a sanitary district. There is a county-related general zoning requirement that declares that the property was rezoned in 2005 but the county has no record of this and no zoning maps to substantiate it. The property cannot be surveyed or divided until it is zoned properly. Mr. Popelka is asking to have his land correctly classified as defined in the Bayfield County general zoning requirements and the Town of Cable Land Use Plan. Popelka is on the next Bayfield County meeting agenda to request a rezone and hopes it will be resolved there. Popelka distributed 3 pages of information to the members in addition to the documents already in their possession. These pages are marked "Popelka 1, 2 and 3" and have been received into the record.

The difference between R-1 and R-4 zoning is that R-4 requires public sewer, water or both, that minimum lot sizes go from 30,000 sq ft to 20,000 sq ft and only one residential home is allowed on each property. A mobile home cannot be moved on the property because R-4 zoning requires a permanent foundation to each home. There are about 15 acres of developable land on this Popelka property and he is proposing 6 to 9 homes.

When asked what kind of housing is planned for the property, Popelka responded that it would be residential, workforce affordable housing, not low income. Plans would be accessibility friendly. He is working with Karl Kastrosky and Bob Rasmussen to fill a need for some rental properties in Cable.

There were several members of the public who spoke out against the recommendation. There was consensus among those opposed that they would like to see a development plan first before any decision is made and that the increased traffic on Randysek Rd will be a problem. Tom Frels asked to go on the record as being opposed to the project. He stated that there are several other home developments already platted out in the Town where there is room to build. In addition the project will increase traffic on Randysek Road where there is already a traffic problem. Popelka pointed out that the other developments in the area are not on city sewer, as his would be. Karl Kastrosky responded that the biggest influence on the Randysek Rd traffic problem is the American Birkebeiner. In addition to the above noted opposition, a letter was received and entered into the record from ten adjoining property owners that are opposed to the rezoning request.

Before further discussion by the Plan Commission members, Chairman Erba reminded those in attendance that it is the job of the Plan Commission to only make a recommendation to the Town Board (the Plan Commission is not the deciding authority) and that the recommendation applies only to the David Popelka property.

Following the member discussion of the matter, a motion was brought to the table by Commissioner Wilson to recommend to the Town Board that the Popelka property located at 43200 Randysek Rd be rezoned from R-1 to R-4 as requested. This recommendation reflects a correction of something that should have been done in 2005 and the Town of Cable Land Use plan encourages the type of housing that is being proposed for this property. Commissioner Lendved seconded the motion.

- Discussion: Commissioner Thurn affirmed that when the Land Use Plan is applied to the permit request the motion does fit the situation. She cited the following Goals and Objectives from the Cable Comprehensive Land Use Plan related to housing:
  - **Goal:** The housing stock in the Town of Cable should provide an adequate range of housing opportunities to meet the varied needs and desires of existing and future community residents. •
  - **Objective:** Maintain viable, properly zoned areas that are available for new residential development.
  - **Objective:** Coordinate the provision of all public services and utilities with new residential development in the Town.
  - **Objective:** Encourage development of housing, including owner- and renter-occupied units, to accommodate all income levels.

Chairman Erba stated that at the time the Comp Plan was created, a housing survey was done and over 75% of people favored the Town to exert, not prohibit,

control to make sure the character of the town is not compromised. One of the primary concerns therein is that properties are zoned correctly.

There was a question from the floor as to if residents' taxes and/or fees would go up due to the additional sanitary connections. Popelka stated that the developer is responsible for payment of all lateral connections to the sewer mains. Also there are grants that he can apply for to help cover costs.

There being no further discussion, Chairman Erba called for a vote. With Popelka and Zuelsdorff recused, the votes were as follows:

Wilson: Yes	Merrill: No	Erba: Yes
Thurn: Yes	Lendved: Yes	

Motion carried. Merrill stated that he voted no because he felt there was not enough information to make a decision on the matter at this time. There was also a suggestion from the Commission that the Town take up for discussion the minimum square footage for town lot sizes for the residential zoning districts.

Commissioner Thurn acknowledged the traffic problem on Randysek Rd and that it has come up many times in previous meetings. She said that the public in attendance "have been heard" in that regard. Jack Radecki suggested that the Commission take up for discussion the topic of road use in the Town of Cable, even though it (Commission) is not the deciding authority.

**b. Conditional Use Permit Request for property located at 42785 USH 63, Menzel Trust Owner, Karl Kastrovsky Agent.** Karl Kastrovsky, as Agent for the Menzel Trust, took the floor to explain that the ultimate goal in converting this building from a commercial use to residential use is for long term rental purposes. It will be remodeled into a 3-unit apartment building. The building was originally built for residential occupancy back in the 70's. The permit request will go to public hearing after review by the Plan Commission and the Cable Town Board. There will most likely be a transfer of ownership following approval by all parties. There are no parking issues and exits will all be to code to meet new occupancy requirements.

After further discussion by the Board, Commissioner Thurn made a motion to recommend to the Town Board that the Menzel Trust conditional use permit request for the property located at 42785 US Hwy 63 be approved. The building has a historical use as a residential occupancy and meets the goals and objectives of the housing section of the Cable Land Use Plan. Motion was seconded by Commissioner Lendved and carried unopposed.

**c. Class A Special Use Permit Request for property located at 13380 CTH M (Chamber of Commerce Building), Town of Cable Owner, Karl Kastrovsky, Agent.** This request is to install a remote controlled LED sign on the

same sign post located next to the Chamber of Commerce Building. Karl Kastrosky, speaking as Agent, noted that Bayfield County requires a special use permit for an LED sign. The planned design of the sign meets all county ordinances. It will be a static, two-sided sign. Words will not be moving or flashing. The consensus of the members is that the sign meets the primary goal of the economic development section of the Land Use Plan and is in keeping with the local character of the Town. Therefore, Commissioner Zuelsdorff made a motion to recommend to the Town Board that the Town of Cable allow the Chamber of Commerce to erect a new LED sign on the existing sign structure located at 13380 County Hwy M. The new sign meets all Bayfield County sign ordinance requirements, will enhance economic develop in our community and encourages and improves communication within the Town. Motion seconded by Commissioner Lendved and carried.

**d. Class A Special Use Permit Request for property located at 44835 W Cable Lake Rd, Michael Leipold/Estella Daniels, Owners.** Mr. Leipold took the floor to describe the construction that will take place at this location. The property is a 20 acre parcel on which only a storage shed currently exists. The Owners have contracted with Morton Buildings to construct a small four season home with a front and back porch. The property is zoned Forestry, therefore the need for a permit. There is a wetland on the property but it is located about 200 ft from the house. The home design and color will blend in with the surrounding environment. Following discussion, Commissioner Zuelsdorff made a motion to recommend to the Town Board that the Class A Special Use permit for property located at 44835 W Cable Lake Rd be approved in order to allow the property owners to construct a 720 sq.ft. residential structure in a forestry zone. There appears to be no environmental impact to the site, wetland setback requirements are met, the existing driveway meets Town standards and the project meets Forestry 1 zoning requirements. Commissioner Popelka seconded the motion and it carried unopposed.

## **8. Cable Tomorrow/Comprehensive Plan Updates and Projects**

Chairman Erba summarized the last meeting of the Comp Plan Workgroup by saying that they discussed and matched new terms (based on their previous strengths and weaknesses discussion) with existing vision statements. The next step is to rewrite the vision statements in the Comp Plan using the new terms and to bring that back to the Commission for review. Minutes from the June 14, 2021 work group meeting have been entered into the record.

## **9. Housing - Short Term Rental Policy Discussion**

Chairman Erba reviewed the Briefing Paper he had prepared on this topic at the request of Town Chairman Haag. The Chairman is asking that the Plan

Commission study the Short Term Rental policies and make recommendations for change. The idea at the Town Board level is that they would like to take a proactive stance on this issue, specifically concerning the short term rentals in Section 18 in order to preserve and protect the character of the Town neighborhoods.

In reviewing how many short term rentals are registered with the Town, Town Clerk Kelly Rauch records that there are over 18 different businesses/properties that are paying taxes to the town for short term rentals. There seems to be a consensus that the trend is a concern, having massively increased in just the last few years.

Mike Best, who owns a recreational business company, stated that per state statute a municipality cannot limit the number of STR's, but there are ways a town can manage the numbers with stipulations, etc. For instance, the State will allow a municipality to limit the number of days per year that a house is rented.

Mike Choate and Elizabeth Holland, who also own a short term rental property, commented that they would like to see the rules applied across the board with private owners and larger concerns such as AirBnb and VRBO, stating that it is likely that the money (i.e. hospitality tax) is not properly coming into the Town of Cable. Chairman Erba noted that for the first quarter of 2021 Town records show that Expedia, VRBO and AirBnB submit just a lump sum and do not itemize the individual properties. Jack Radecki clarified that legislation has recently passed that requires that those large short term rental companies must divulge the individual hosts to the municipality. Mike Best stated that Bayfield County is doing a good job of tracking the short term rental individual property owners. He also suggested that there seem to be two different issues emerging that the Town should consider: 1) is the money being properly paid to the Town? and 2) does the Town want to limit the numbers of short term rentals in the municipality? Hopefully the Town of Cable can find a happy medium in the number allowed.

Commissioner Thurn raised some questions for discussion: Can an increase in the room tax be used as a regulatory means? Are there ways we can work with short term rental owners to capture more use of Cable's amenities. Are there other ways to get people to Cable, e.g. Hip Camp?

Elizabeth Holland thanked the Plan Commission for attempting to address the STR issue in advance of all the anticipated development on the former Telemark site.

Commissioner Popelka provided extensive research and resources on STRs compiled by the UW Extension, including state regulations. A link to this information has been sent to members' e-mails.

On a related matter, Popelka reported that the Chequamegon Bay Housing Coalition was selected by WHEDA as a pilot home grant area. Part of this grant is that they will spend 4-6 months developing a comprehensive housing plan for

our area. The Coalition area is third on the list following Green Bay and Waukesha.

**10. Members Comments**

- **Connect Community Update** - Commissioner Thurn had just attended a Connect Community meeting earlier in the day and will distribute the minutes of that meeting by e-mail to the members as an update.

**11. Next Meeting**

The next regular meeting of the Town of Cable Plan Commission is scheduled for Tuesday, August 3, 2021 at 5:30 p.m. at the Cable Community Center.

**12. Adjournment:** Chairman Erba adjourned the meeting at 7:53 p.m.

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Jeannie Dixon, Secretary

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Approved